

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION

BRIAN KEITH GATES,

Plaintiff,

V.

SHELBY COUNTY SHERIFF CHRIS CURRY,

Defendant.

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{array}$$


7:09-CV-1636-WMA-PWG

## MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on August 31, 2009, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b). The plaintiff filed objections to the report and recommendation on September 9, 2009.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 29th day of September, 2009.

  
WILLIAM M. ACKER, JR.  
UNITED STATES DISTRICT JUDGE